IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24132 of 2004

Between:

1 Sri Varaha Lakshmi Nrusimha Prasanthinagar Residents Welfare Association, Purushothampuram,
Chinamushidiwada Post, Visakhapatnam-531 173, Regd.No.698/97, rep., by its President, Locharla Ramanaji,
s/o late Chakrapani, r/o Visakhapatnam.
2 K.Kesava Rao, s/o late Srinivasa Rao,
r/o Visakhapatnam.
3 Y.Srihari Rao, s/o Y.Narayana Rao,
r/o Visakhapatnam.
4 Sagi Venkateswara Rao, s/o late S.Gopala Krishnamurthy,
r/o Visakhapatnam.
5 Smt.Yelamanchili Lakshmi, d/o Y.Krishna Rao,
r/o Visakhapatnam.
6 Y.Krishna Rao, s/o late Y.Venkata Subba Rao,
Visakhapatnam.
7 R.Bala Rama Krishnam Raju, s/o R.Bala suryanarayana Raju,
r/o Visakhapatnam.
8 Mantena Venugopala Varma, s/o M.Surya Prakash Raju,
r/o Visakhapatnam.
9 Mekala Johnson, s/o M.Laxmaiah,
r/o Visakhapatnam.
10 Pinisetti Venkata Suryanarayana, s/o P.Adinarayana,
r/o Visakhapatnam.
11 Smt.Mylavarapu Sita Annapurna, w/o Sagi Venkateswara Rao,
r/o Visakhapatnam.
12 Smt.Vandana Vasanthakumari, w/o V.Krishna Rao,
r/o Visakhapatnam.
13 Smt.Vemula Venkata Vijayalakshmi, w/o Bollampalli Venkata Tirupalu,
r/o Visakhapatnam.
14 Smt.Sunkara Mani, W/o.Sunkara Prasan

Visakhapatnam.
15 Smt.T.Jagadamba, W/o.T.Srinivas,
Visakhapatnam.
16 J.Nageswara Rao, S/o.late J.Nandesh,
Ichhapuram, Srikakulam Dist
17 Vallampati Kalyankumar, S/o.V.Srinivasa Rao,
Visakhapatnam.
18 U.Subba Rao, S/o.U.Sanyasaiah,
Visakhapatnam.
19 T.Chalapathi Rao, S/o.Adinarayana,
Visakhapatnam.
20 Korlam Srinivasa Rao, S/o.Kollam Sitarama Murthy,
Visakhapatnam.
21 Pilla Sivadesa Patrudu, S/o.P.Mukunda Patrudu,
Visakhapatnam.
22 Pilla Varaha Narasimha Patrudu, S/o.late P.Govinda Patrudu,
Visakhapatnam.
23 Pasupuleti Mangaraju, S/o.P.Sitaram,
Visakhapatnam.
24 G.Krishnakumar, S/o.late G.Narasinga Rao,
Visakhapatnam.
25 Smt.Battula Anasuya, W/o.B.Narasimha Murthy,
Visakhapatnam.
26 Bollapragada Venkata Srinivas, S/o.B.Jogiraju
Visakhapatnam.
27 Smt.Mudili Annapurna, W/o.M.Laxmana Rao,
Visakhapatnam.
28 Kavala Venkata Rao, S/o.late K.Swami,
Visakhapatnam.
29 Smt.Matsa Anuradha, D/o.Matsa Satyanarayana,
Visakhapatnam.
30 P.Raghava Rao, S/o.P.Adinarayana,
Visakhapatnam.
31 Gogineni Madusudhana Rao, S/o.G.Gopalakrishna Rao,
Visakhapatnam.
32 Smt.Vedulla Padmavathi, W/o.V.Parameswara Rao,
Visakhapatnam.
33 Smt.Manikyam Bharathi, W/o.M.Gurunadeeswara Rao,
Visakhapatnam.
34 Smt.Botsa Rajyalakshmi, W/o.Botsa Gopalam,
Visakhapatnam.
35 Y.Rajasekhar, S/o.Y.Appa Rao,
Visakhapatnam.
36 Guvvu Srinivasa Rao, S/o.late G.Narasinga Rao,
Visakhapatnam.
37 Guvvu Venkataramana Rao, S/o.late G.Narsinga Rao,
Visakhapatnam.
38 Sappidi Tulsi Rao, S/o.S.Appa Rao,
Visakhapatnam.
39 Smt.Singamsetti Vijayalakshmi, W/o.S.Satya Rao,
Visakhapatnam.

40 Smt.Vinjyamuri Saraswathi, W/o.late V.Pratap,
Visakhapatnam.
41 Shambunath Saha, S/o.late Upendra Chandtra Saha,
Visakhapatnam.
42 Sankar Dey Sarkar, S/o.Nibharan Dey Sarkar,
Visakhapatnam.
43 Kotni Eswara Rao, S/o.late Kotni Pothu raju,
Visakhapatnam.
44 Locharla Suryabhanu, S/o.late Chakrapani,
Visakhapatnam.
45 Smt.Gokedu Krishnaveni, W/o.G.gyana Prakash Babu,
Visakhapatnam.
46 B.Srinivas, S/o.B.Venkateswara Rao,
Visakhapatnam.
47 Smt.Lingam Vijayalakshmi, W/o.L.Babu Rajendra Prasad,
Visakhapatnam.
48 Badugu Venkataswamy, S/o.B.Arjunudu,
Visakhapatnam.
49 Smt.G.Varalakshmi, W/o.G.Rajagopala Rao,
Visakhapatnam.
50 Smt.Kantamaneni Lakshmi, W/o.K.Ramakrishna,
Visakhapatnam.
51 Smt.D.Vijayalakshmi, W/o.late D.Venkateswara Rao,
Visakhapatnam.
52 D.Srinivas, S/o.late D.Venkateswara Rao,
Visakhapatnam.
53 Smt.Ch.Jyothi, W/o.B.Varaprasad,
Visakhapatnam.
54 Smt.A.Radhika, W/o.A.Venkataratnam,
Visakhapatnam.
55 Smt.D.Aruna, W/o.D.Prabhakar Rao,
Visakhapatnam.
56 adurthi Varaprasada Rao, S/o.late A.Venkata Rao,
Visakhapatnam.
57 Smt.Adurti Rama Nagamani, W/o.A.Nageswara Rao,
Visakhapatnam.
58 Saridevi Mahesh Kumar, S/o.late S.Nageswara Rao,
Visakhapatnam.
59 Smt.N.Sai Jagannadha Lakshmi, D/o.late N.Jagannadha Rao,
Visakhapatnam.
60 G.Satyananda Rao, S/o.G.Sattiraju,
Visakhapatnam.
61 K.Bala Krishna Patnaik, S/o. & Legal heir of K.Narasinga Rao,
R/o.Jetni, Orissa State.
62 Lalji Narayan Patel, S/o.Narayan Devji Patel,
Visakhapatnam.
63 Harilal Narayan Patel, S/o.Narayan Devji Patel,
Visakhapatnam.
64 Samji Narayan Patel, S/o.Narayan Devji Patel,
Visakhapatnam.
65 Sivdas Karsan Patel, S/o.late Karsan Harji Patel,

Visakhapatnam.
66 Ravji Hirji Patel, S/o.Harji Vishram Patel,
Visakhapatnam.
67 Shantilal Ravji Patel, S/o.late Ravji Devji Patel,
Visakhapatnam.
68 Jeevraj Kanji Patel, S/o.Kanji Devji Patel,
Visakhapatnam.
69 Virji Kanji Patel, S/o.Kanji Devji Patel,
Visakhapatnam.
70 Gutta Vinay Babu, S/o.G.Vijay Babu,
Visakhapatnam.
71 Smt.Kadali Sathyavathi, W/o.K.Ramakrishna,
Visakhapatnam.
72 Smt.Pitta Santakumari, W/o.P.Jacob Raju,
Visakhapatnam.
73 Mudragada Surya Prakash Rao, S/o.late M.Narsinga Rao,
Visakhapatnam.
74 Smt.D.Vijayalakshmi, W/o.late D.Venkata Bhagiradha Rao,
Visakhapatnam.
75 Smt.Mudragada Venkata Satyamani, W/o.M.Ranga Rao,
Visakhapatnam.
76 Manda Srinivas, S/o.Manda Satyanarayana,
Visakhapatnam.
77 J.Srinivas Rao, S/o.J.Neelachalam,
Visakhapatnam.
78 Smt.M.Sita Devi, W/o.M.Haragopal,
Visakhapatnam.
79 Smt.S.Rama Devi, w/o.S.Sanyasi Rao,
Visakhapatnam.
80 P.Kishore, S/o.P.Pal Prasada Rao,
Visakhapatnam.
81 K.N.Chanakya, S/o. & Legal heir of K.rajendrudu,
Visakhapatnam.
82 T.Rama Rao, S/o.T.Tataiah,
Visakhapatnam.
83 S.Srinivasa Rao, S/o.S.Kondala Rao,
Visakhapatnam.
84 Smt.D.Nagamani, W/o.d.Rambabu,
Ichhapuram, Srikakulam Dist.
85 Ms.M.Suneetha. D/o.M.Krishnaiah,
Visakhapatnam.

..... PETITIONERS

AND

1 The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy Devasthanam,
Simhachalam -530 028, Visakhapatnam Dist.
2 The Joint Collector-cum-Chairman, Simhachalam Devasthanam Land

Regularization Commt.,
Visakhapatnam, Visakhapatnam Dist.
3 The Govt.of A.P., rep.by its Principal Secretary Revenue(Endowments-IV)Dept.
Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, one in the nature of Writ of Mandamus, " declaring the in-action of the Respondents in not receiving the amounts, as indicated in the G.O.Ms.No. 578 Rev. (Endowments-IV) Dept. dated 19-8-2000 from the petitioner and issue them No-Obection/Regularization Certificates for the land of an extent 200 sq.yards in Plot No. 130 in Sy.No. 4; 200 sq. yards in plot No.119 in sy.No.4; 200 sq. yards in plot NO.120 in sy.No.4, 198.50 sq. yards in plot No.6 in sy.No.4; 200 sq. yards in plot No.114 in sy.No.4; 190.50 sq.yards in plot No.3 in sy.No.4; 190.50 sq. yards in plot No.4 in sy.No.4; 200 sq. yards in plot No.33 in sy.No.4; 244.50 sq. yards in plot No.145 in sy.No.4; 200 sq. yards in plot no.31 in sy.no.4; 200 sq.yds in plot no.139 in sy.no.4; 200 sq.yds in plot no.135 in sy.no.4; 200 sq.yds in plot no.131 in sy.no.4; 300 sq.yds in plots no.73 &74 in sy.no.3/B,C; 200 sq.yds in plot no.47 in sy.no.4l; 150 sq.yds in plot no.72 in sy.no.3/B,c; 200 sq.yds in plot no.81 in sy.no.3/B,C; 200 sq.yds in plot no. 70 in sy.no.3/B,C; 200 sq.yds in plot no.143 in sy.no.4; 200 sq.yds in plot no.21 in sy.no.4; 186.50 sq.yds in plot no.10 in sy.no.4; 200 sq.yds in plot no.91 in sy.no.3; 200 sq.yds in plot no.99 in sy.no.3/B,C; 400 sq.yds in plot no.97 & 98 in sy.no.3/B,C; 200 sq.yds in plot no.113 in sy.no.4; 200 sq.yds in plot no.30 in sy.no.4; 200 sq.yds in plot no.89 in sy.no.4; 200 sq.yds in plot no.90 in sy.no.3; 200 sq.yds in plot no.142 in sy.no.4; 227.50 sq.yds in plot no.12 in sy.no.4l; 200sq.yds in plat no 134 in sy.no.4; 200 sq.yds in plot no.194 in sy.no.4; 200 sq.yds in plot no.75 in sy.no.3/B,C; 150 sq.yds in plot no.116 in sy.no.4; 200 sq.yds in plot No.100 in sy.no.3/B,C; 200 sq.yds in plot no.104 in sy.no.3/B,C; 244.50 sq. yds in plot no.128 in sy.no.4; 200 sq.yds in plot no.129 in sy.no.4; 200 sq.yds in plot no.144 in sy.no.3/B,C & 4; 200 sq.yds in plot no.147 in sy.no.3/B,C & 4; 200 sq.yds in plot no.68 in sy.no.3; 600 sq.yds in plot nos. 50,51 & 52 in sy.no.4; (56) 600 sq.yds in plot nos. 53,54 & 55 in sy.no.4; 200 sq.yds in plot no.69 in sy.no.3/B,C; 244.50 sq.yds in pilot no.84 in sy.no.4; 178 sq.yds in plot no.18 in sy.no.4; 200 sq.yds in plot no.77 in sy.no.3/B,C; 200 sq.yds in plot no.133 in sy.no.4; 174 sq.yds in plot no.56 in sy.no.4; 200 sq.yds in plot no.133 in sy.no.4; 174 sq. yds in plot no.56 in sy.no.4; 200 sq.yds in plot no.133 in sy.no.4; 174 sq.yds in plot no.56 in sy.no.4; 200 sq.yds in plot no.22 in sy.no.4; 249 sq.yds in plot no.61 in sy.no.4; 200 sq.yds in plot No.85 in sy.no.4; 244.50 sq.yds in plot no.106 in sy.no.4l; 200 sq.yds in plot no.107 in sy.no.4; 200 sq.yds in plot no.108 in sy.no.4; 200 sq.yds in plot no.109 in sy.no.4; 200 sq.yds in plot no.110 in sy.no.4; 200sq.yds in plot no.125 insy.no.4; 200 sq.yds in plot no.126 in sy.no.4; 244.5 sq.yds in plot no. 127 in sy.no.4; 200 sq.yds in plot no.92 insy.no.3; 200 sq.yds in plot no.27 in sy.no.4; 200 sq.yds in plot no.26 in sy.no.4; 400 sq.yds in plot nos. 86 & 87 in sy.no.3/B,C; 200 sq.yds in plot no.101 in sy.no.3l; 400 sq.yds in plot no.102 & 103 in sy.no.3/B,C; 223.5 sq.yds in plot no.11 in sy.no.4l; 200 sq.yds in plot no.136 in sy.no.4; 200sq.yds in plot no.23 in sy.no.4; 200 sq.yds in plot

no.25 in sy.no.4 and 200 sdq.yds in plot no.157 in sy.no.4; 200 sq.yds in plot no.20 in sy.no.4l; 186 sq.yds in plot no.58 in sy.no.4; 300 sq.yds in plot no.95 & 96 in sy.no.3. 216 sq.yds in plot no.6.0 in sy.no.4 and 250 sq.yds in plot no.115 in sy.no.4, situated in Vepagunta village, Pendurthi mandal, Visakhapatnam district and consequently direct the respondents to receive the amounts as indicated in G.O.Ms.nO.578 Rev. (Endowments –IV) Department dated 19.08.2000 from the petitioners and issue the No Objection/Land Regularization Certificates and pass such other and further orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.M.KESAVA RAO

Counsel for the Respondent 1: MR.M.ADINARAYANA RAJU

Counsel for third respondents 2 and 3: GP for Endowments

The Court at the stage of admission made the following ORDER:

Petitioners claim to be the possessors and occupants of various extents of land situated in various survey numbers of Vepagunta village as well as the structures made thereon. The said lands are found to be those belonging to Sri Varaha Lakshmi Narasimha Swamy Devasthanam, Simhachalam. In the recent past, the Government, with the approval of the temple, framed a scheme in G.O.Ms.No.578 Rev. (Endowments –IV) Department dated 19.08.2000 for the purpose of regularization of such encroachments. Petitioners seek to avail the benefit of the scheme. Their grievance is that the respondents are not entertaining their applications for consideration of the cases and they seek appropriate directions in this regard.

Heard learned counsel for the petitioners, learned Government Pleader for Endowments and Sri M. Adinarayana Raju, learned standing counsel for Devasthanam.

Identical cases were considered in W.P.No.20557 of 2003 and batch. After taking the submissions made on behalf of the petitioners as well as the Devasthanam, this Court passed a common order on 25.07.2003. It is not in dispute that the case of the petitioners is identical in nature.

Hence, following the common order in W.P.No. 20557 of 2003 and batch, this writ petition is disposed of with the following directions:

1. It shall be open to the petitioners to submit representations to the respondents for furnishing application forms, as provided for under G.O.Ms.No.578 Rev. (Endt-IV) dated 19.08.2000 for the purpose of regularization of land upon which they have encroached.

2. On receipt of such representations, the respondents shall consider the same and shall issue application forms to the applicants concerned, if it is found that they are entitled to submit applications having regard to the extents of land under their possession. If, however, the respondents feel that any applicant is not entitled to be furnished with the application form, the respondents shall communicate the reasons therefor, within four weeks from the date

of receipt of the application.

3. Whereever the application forms have been supplied to any of the petitioners and they, in turn, submit the applications for issuance of Land Regularisation Certificate, together with the necessary enclosures, the same shall be considered by the committee in accordance with the scheme framed under the G.O.

4. There shall be no order as to costs.

27.12.2004

Note:

Issue CC in three days.

(BO)

ksld

To

1 The Principal Secretary, Govt.of A.P., (Endowments-IV)Dept.,Secretariat, Hyderabad.

2 The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy Devasthanam, Simhachalam, 530028, Visakhapatnam district.

3 The Joint Collector-cum-Chairman, Simhachalam Devasthanams Land Regularisation Committee, Visakhapatnam.

4 Two CCs. to the G.P. for Endowments, High Court of A.P., Hyderabad

(OUT)

5 Two CD copies.